

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

JESUS ORTIZ,

Plaintiff,

v.

**EL PASO COMMUNITY COLLEGE
DISTRICT,**

Defendant.

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CAUSE NO. EP-24-CV-184-KC

ORDER

On this day, the Court considered the case. On February 26, 2025, the parties informed the Court that they reached an agreement to resolve the case and are working to finalize a settlement. Joint Notice of Settlement (“Notice”), ECF No. 18. Generally, courts are required to review private settlements of cases arising under the Fair Labor Standards Act (“FLSA”) to determine whether “the settlement is a ‘fair and reasonable resolution of a bona fide dispute over FLSA provisions.’” *Ibarra v. Del’s Grass Farm Ltd.*, No. 21-CV-252, 2022 WL 1157657, at *1 (W.D. Tex. Apr. 19, 2022) (quoting *Alaniz v. Maxum Petroleum Operating Co.*, No. 15-CV-373, 2016 WL 6462206, at *1 (W.D. Tex. Oct. 31, 2016)). Judicial approval of a settlement is not required, however, if the settlement only pertains to “a bona fide dispute as to the amount of hours worked or compensation due.” *See Bodle v. TXL Mortg. Corp.*, 788 F.3d 159, 163 (5th Cir. 2015) (citing *Martin v. Spring Break ’83 Prods., L.L.C.*, 688 F.3d 247, 255 (5th Cir. 2012)).

The Notice does not indicate whether the parties’ contemplated settlement will require judicial approval. *See generally* Notice. Accordingly, the Court **ORDERS** that, by **no later than March 20, 2025**, the parties shall either (1) file a motion to approve their settlement and

attach to that motion the final settlement for the Court's review, or (2) file a motion to dismiss the case that states why the settlement does not require judicial approval.

IT IS FURTHER ORDERED that the Scheduling Order, ECF No. 9, and Trial Preparation Order, ECF No. 10, together with all deadlines and proceedings ordered therein, are **VACATED**.

SO ORDERED.

SIGNED this 27th day of February, 2025.



KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE